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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/283,958	04/01/99	RAYMOND	98-075-TAP

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WM51/1106

EXAMINER

LETSCHER, G

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 11/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/283,958

Applicant(s)
Raymond et al

Examiner
George Letscher

Group Art Unit
2754



☒ Responsive to communication(s) filed on Apr 1, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-49 is/are pending in the application.

Of the above, claim(s) 35-49 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-34 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 & 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Election/Restriction

1. Applicant's election without traverse of Group I, claims 1-34, in Paper No. 5 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-22 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 5, and claim 14, line 9, the phrase “yokes ... on either side of the position line” is misdescriptive since the part of the yokes are on each side of the position line.

In claim 25, the phrase “each loop ... encircles the yoke upper section is indefinite since it is unclear where the upper yoke is encircled, rendering the claim misdescriptive.

In claim 9, the phrase “position line forms an acute angle with the media direction” is misdescriptive since the line is normal to the media direction.

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Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-4, 8-16, 18-30 and 33-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Gray et al (EP 727772).

The aforementioned claims set forth the following features, inter alia, disclosed in Gray et al '772: a magnetic recording head having a plurality of thin film elements, each element having a yoke with front and back regions alternately positioned on each side of a position line, each yoke formed on a substrate; a position line normal to the media direction; each gap of the thin film elements having a gap angle with the position line and opposite the gap angle of the adjacent gap angle; a conductive coil having a plurality of loops,

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each loop having a portion passing within the yoke and encircling the lower yoke section; see Figures 2, 5 and 7 of Gray et al '772.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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6. Claims 5-7, 17 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gray et al '772 in view of Miyauchi et al (US 5,274,521).

The description of Gray et al '772 is in paragraph 4, supra.

Regarding claims 5, 7, 17 and 31, Gray et al '772 do not show a flux sensing read element being located between the yokes of the head.

Miyauchi et al '521 show a magnetic head having a read element (36) which is within the yoke (53) beneath the gap.

It would have been obvious for one of ordinary skill in the art at the time the invention was made to furnish the magnetic head assembly of Gray et al '772 with a flux sensing read element being located between the yokes of the head as shown in Miyauchi et al '521. The rationale is as follows: one of ordinary skill in the art would have been motivated to furnish a flux sensing read element being located between the yokes of the head as shown in Miyauchi et al '521 since one of ordinary skill would have operated the MR portion of the device with good linearity and high sensitivity characteristics.

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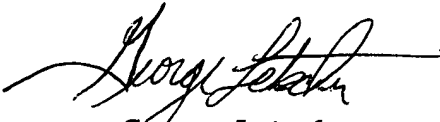
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Letscher whose telephone number is (703) 305-7912.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

George Letscher

November 3, 2000


George Letscher
Primary Examiner
AU 2754